

MEMORANDUM

Agenda Item No. 7(F)(1)(B)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners **DATE:** **January 20, 2004**

FROM: George M. Burgess
County Manager



SUBJECT: Third Amendment to Lease at
19500 Quail Roost Drive, Miami
with State of Florida, Department
of Children and Families
Property # 6901-00-00

The attached third amendment to lease agreement has been prepared by the General Services Administration at the request of Miami-Dade Fire Rescue and is recommended for approval.

PROPERTY: 19500 Quail Roost Drive, Miami.

OWNER: Miami-Dade County.

TENANT: State of Florida, Department of Children and Families.

PURPOSE OF AMENDMENT: To reduce the size of the leased premises by 5,536 square feet or .13 acres ("Decreased Space").

JUSTIFICATION: The purpose of reducing the leased space by .13 acres is to provide additional paved parking for the adjacent fire rescue station operated by Miami-Dade Fire Rescue.

The State of Florida, Department of Children and Families utilizes the leased premises for administrative offices, which provide counseling services to mentally handicapped and retarded children and adults. The area to be reduced is vacant land that is neither used nor required by the State for its programs. The State has agreed to relinquish the requested area needed by Miami-Dade Fire Rescue.

FINANCIAL IMPACT: Rate of \$1.00 per year remains as previously negotiated.

EFFECTIVE DATES OF AMENDMENT: The term of this Third Amendment to Lease Agreement shall commence upon approval by the Board of County Commissioners, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override of this Board, and shall terminate on April 18, 2013.

Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners
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CURRENT LEASE:

The current lease agreement was approved on April 19, 1983 by Resolution R-503-83. The lease commenced on April 19, 1983 for 30 years. The lease was first amended on February 6, 1996, by Resolution No. R-75-96 and again on January 23, 1997, by Resolution No. R-70-97.

COMMENTS:

Attached for your information is a copy of the previously approved resolutions and memoranda with data concerning the lease.


Assistant County Manager



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: January 20, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(F)(1)(B)

Please note any items checked.

- _____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- _____ 6 weeks required between first reading and public hearing
- _____ 4 weeks notification to municipal officials required prior to public hearing
- _____ Decreases revenues or increases expenditures without balancing budget
- _____ Budget required
- _____ Statement of fiscal impact required
- _____ Bid waiver requiring County Manager's written recommendation
- _____ Ordinance creating a new board requires detailed County Manager's report for public hearing
- _____ Housekeeping item (no policy decision required)
- _____ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(F)(1)(B)
1-20-04

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE EXECUTION OF A
THIRD AMENDMENT TO LEASE AGREEMENT AT 19500
QUAIL ROOST DRIVE, MIAMI, WITH STATE OF FLORIDA
DEPARTMENT OF CHILDREN AND FAMILIES; AND
AUTHORIZING THE COUNTY MANAGER TO EXERCISE
ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the
accompanying memorandum, a copy of which is incorporated herein by reference,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF MIAMI DADE COUNTY, FLORIDA, that this Board hereby
approves the Third Amendment to Lease Agreement between Miami-Dade County and State
of Florida Department of Children and Families, in substantially the form attached hereto and
made a part hereof; authorizes the County Manager to execute it for and on behalf of Miami-
Dade County; and authorizes the County Manager to exercise any all other rights conferred
therein.

The foregoing Resolution was offered by Commissioner _____, who
moved its adoption. The motion was seconded by Commissioner _____ and upon
being put to a vote, the vote was as follows:

Barbara Carey-Shuler, Ed.D., Chairperson
Katy Sorenson, Vice-Chairperson


Bruno A. Barreiro
Betty T. Ferguson
Joe A. Martinez
Dennis C. Moss
Natacha Seijas
Senator Javier D. Souto

Jose "Pepe" Diaz
Sally A. Heyman
Jimmy L. Morales
Dorrian D. Rolle
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of January, 2004. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. 

Richard B. Rosenthal

By: _____
Deputy Clerk

THIRD AMENDMENT TO LEASE

THIS AGREEMENT made this _____ day of _____, 2004, by and between MIAMI-DADE COUNTY, a political subdivision of the State of Florida, hereinafter called the "LANDLORD," and STATE OF FLORIDA, DEPARTMENT OF CHILDREN AND FAMILIES, herein called the "TENANT,"

WITNESSETH:

WHEREAS, by Resolution No. R-503-83, adopted by the Board of County Commissioners on April 19, 1983, the Board authorized a Lease between the above named parties for that certain property known as "Rock Pit #32", located at 19500 Quail Roost Drive, Miami, Florida; and

WHEREAS, by Resolution No. R-75-96, adopted on February 6, 1996, approved that certain First Amendment to Lease; and

WHEREAS, by Resolution No. R-70-97, adopted on January 23, 1997, approved that certain Second Amendment to Lease; and

WHEREAS, both LANDLORD and TENANT are desirous of amending said Lease as set forth below; and

WHEREAS, by Resolution No. _____, adopted _____, 2004, the Board of County Commissioners has authorized the amending of said Lease;

NOW, THEREFORE, in consideration of the restrictions and covenants herein contained, it is agreed that the said Lease is hereby amended as follows:

1. Decreased Space LANDLORD and TENANT hereby agree to decrease the size of the leased space, which consists of approximately 3.73 acres more or less, by 5,536 square feet, as shown and legally described on the survey attached as Exhibit "A" and made a part hereof.
2. Term The term for the Decreased Space shall commence upon approval by the Board of County Commissioners, unless vetoed by the mayor, and if vetoed, shall become effective only upon an override by Board and shall terminate on April 18, 2013,

said date being co-terminus with the term of the Lease, unless earlier terminated or extended pursuant to the terms of the Lease.

3. Purpose The purpose of this amendment is to permit the adjacent Miami-Dade County fire rescue station to have additional room for parking.

In all other respects the said Lease shall remain in full force and effect in accordance with the terms and conditions specified therein.

IN WITNESS WHEREOF, the LANDLORD and TENANT have caused this Amendment to Lease Agreement to be executed by their respective and duly authorized officers the day and year first above written.

(CORPORATE SEAL)

STATE OF FLORIDA, FLORIDA
DEPARTMENT OF CHILDREN AND
FAMILIES

Secretary

By: _____
Charles M. Hood III
District Administrator (TENANT)

(OFFICIAL SEAL)

ATTEST:

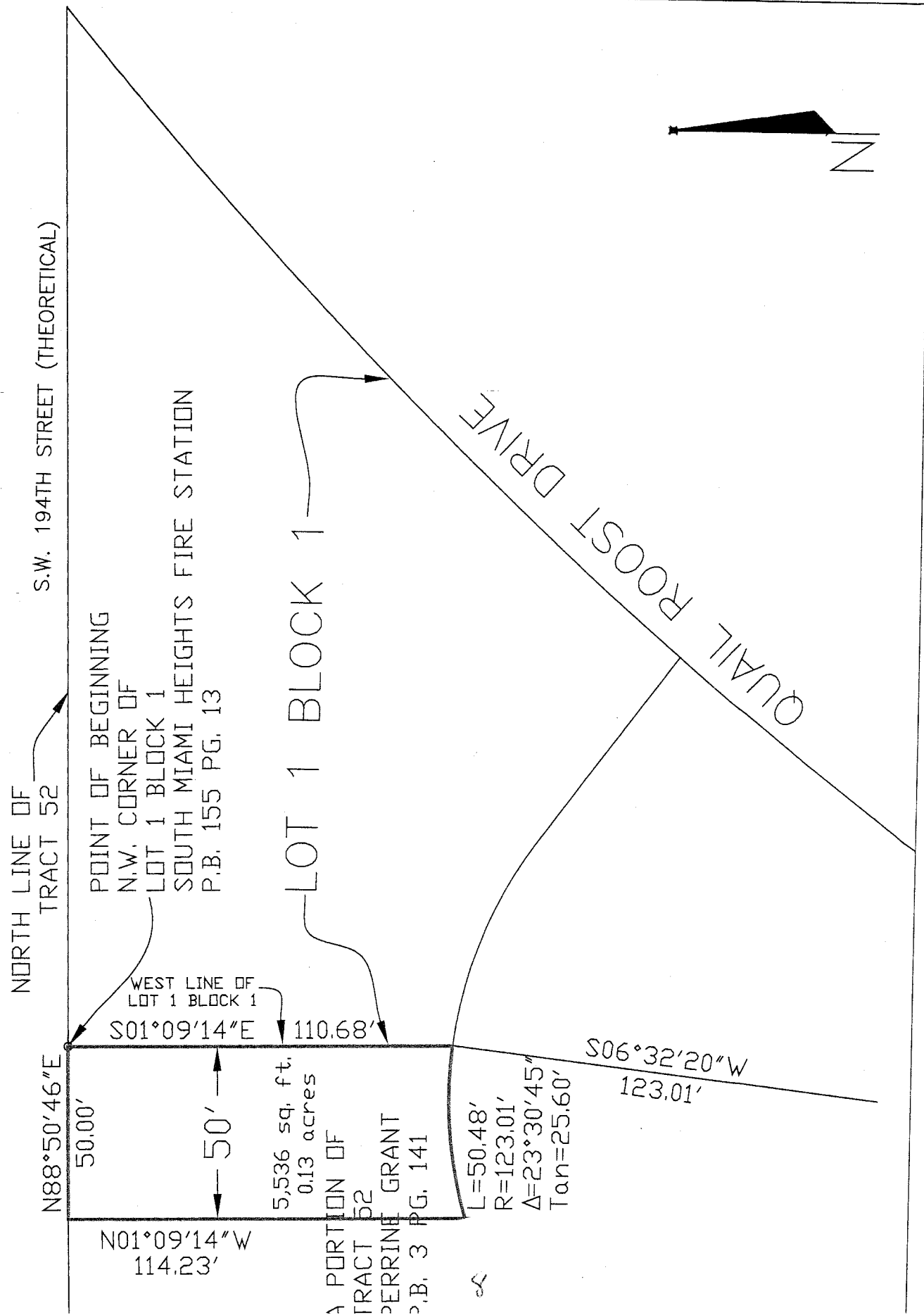
HARVEY RUVIN, CLERK

MIAMI-DADE COUNTY FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
George M. Burgess
County Manager (LANDLORD)

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



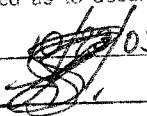
Legal Description:

A portion of Tract 52, PERRINE GRANT, according to the plat thereof as recorded in Plat Book 3 at Page 141, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

BEGIN at the Northwest Corner of Lot 1, Block 1, SOUTH MIAMI HEIGHTS FIRE STATION, according to the plat thereof as recorded in Plat Book 155 at Page 13, of the Public Records of Miami-Dade County, Florida; thence S01°09'14"E along the west line of said Lot 1 for 110.68 feet to a non-tangent point of intersection with a circular curve, concave to the south, whose radius point bears S06°32'20"W from said point, said curve also being the south line of said Lot 1; thence westerly along the arc of said curve to the left having a radius of 123.01 feet a central angle of 23°30'45" for an arc distance of 50.48 feet to a point being 50.00 feet westerly of as measured at right angles to said west line of Lot 1; thence N01°09'14"W along a line parallel to said west line of Lot 1 for 114.23 feet to the North line of said Tract 52; thence N88°50'46"E along said North line of Tract 52 for 50.00 feet to the POINT OF BEGINNING.

Approved as to description

Date

 03

MEMORANDUM Agenda Item No. 5(f)(1)

TO Honorable Mayor and Members
Board of County Commissioners

DATE April 19, 1983

FROM M. F. Stierheim
County Manager

SUBJECT Lease Agreement with
State of Florida,
Department of Health
and Rehabilitative
Services

RECOMMENDATION:

The following Lease has been reviewed by staff and is recommended for approval:

USING AGENCY: State of Florida, Department of Health and Rehabilitative Services.

USE: Residential facility for medically handicapped and retarded children and adults.

PROPERTY: 5⁺ Acres at the west side of Quail Roost Drive, between theoretical S.W. 194 Street and S.W. 196 Street.

OWNER: Dade County

TERMS: Thirty (30) years commencing April 1, 1983 terminating March 31, 2013, annual rental of one (\$1.00) Dollar.

EFFECTIVE DATES: April 1, 1983 through March 31, 2013.

RENEWAL OPTION: None

CANCELLATION PROVISION: If HRS should fail to comply with any covenants or provisions of this Lease, the County may terminate agreement unless the default is cured within 30 days after receiving written notice.

HRS has the option of cancelling agreement if facilities on demised premise should be destroyed by — notifying the County within 30 days of such intent. HRS shall be responsible for returning the premises to a clean and safe condition.

FORMER LEASE: None

RESOLUTION NO. R-503-83

RESOLUTION AUTHORIZING EXECUTION OF RETROACTIVE AGREEMENT WITH THE DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES OF THE STATE OF FLORIDA FOR LEASE OF COUNTY-OWNED PROPERTY ON QUAIL ROOST DRIVE FOR A RESIDENTIAL FACILITY FOR MENTALLY HANDICAPPED AND RETARDED CHILDREN AND ADULTS; AND AUTHORIZING COUNTY MANAGER TO EXERCISE CANCELLATION PROVISION CONTAINED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA, that this Board authorizes the execution of retroactive Agreement between Dade County and the Department of Health and Rehabilitative Services of the State of Florida for lease of County-owned property on Quail Roost Drive between theoretical S.W. 194 Street and S.W. 196 Street, for a residential facility for mentally handicapped and retarded children and adults in substantially the form attached hereto and made a part hereof; authorizes the County Manager to execute same for and on behalf of Dade County; and to exercise the cancellation provision contained therein.

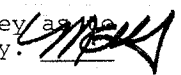
The foregoing resolution was offered by Commissioner **Barry D. Schreiber**, who moved its adoption. The motion was seconded by Commissioner **Clara Oesterle**, and upon being put to a vote, the vote was as follows:

Barbara M. Carey	Absent
Clara Oesterle	Aye
Beverly B. Phillips	Absent
James P. Redford, Jr.	Aye
Harvey Ruvin	Absent
Barry D. Schreiber	Aye
Ruth Shack	Absent
Jorge E. Valdes	Aye
Stephen P. Clark	Aye

The Mayor thereupon declared the resolution duly passed and adopted this 19th day of April, 1983.

DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

RICHARD P. BRINKER, CLERK

Approved by County Attorney as to
form and legal sufficiency. 

By: RAYMOND REED
Deputy Clerk

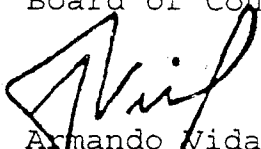
6901-00-00

MEMORANDUM

Agenda Item No. 3(A)(17)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: February 6, 1996

FROM:  Armando Vidal, P.E.
County Manager

SUBJECT: Amendment to Lease
Agreement at 19500
Quail Roost Drive
with the State
Department of Health
and Rehabilitative
Services

The attached Amendment to Lease Agreement has been prepared by the General Support Services Department at the request of the State Department of Health and Rehabilitative Services (HRS) and is recommended for approval.

PROPERTY: 19500 Quail Roost Drive, Miami.

OWNER: Dade County.

TENANT: State of Florida Department of Health
and Rehabilitative Services.

PURPOSE OF AMENDMENT: To modify Article I, Use of Demised Premises, to allow the demised premises to be used for administrative offices, counseling services and as a private recreational facility.

JUSTIFICATION: Prior to damage by Hurricane Andrew, HRS utilized these premises for the operation of Cluster Facilities for medically handicapped and mentally retarded children and adults. The damaged structures have been rehabilitated by HRS, but they are no longer required for the previous use.

Honorable Chairperson and Members
Board of County Commissioners
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On October 19, 1995, by Zoning Resolution No. Z-155-95, the Board approved a zoning variance requested by HRS to permit administrative offices and counseling services in the RU-1 (Single Family Residence) district that the premises are located in as if the premises were located in a RU-5A (Semi-professional Offices) district.

FINANCIAL IMPACT:

Rate of \$1.00 per year remains as previously negotiated.

EFFECTIVE DATES OF
THE AMENDMENT:

Commencing upon approval by the Board and terminating March 31, 2013.

COMMENTS:

Attached for your information is a copy of the previously approved resolution and memorandum with data concerning the Lease.

This item has been scheduled for review by the Government Operations Committee on January 25, 1996.

RESOLUTION NO. R-75-96

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT
TO LEASE AGREEMENT AT 19500 QUAIL ROOST DRIVE,
MIAMI, WITH THE STATE OF FLORIDA DEPARTMENT OF
HEALTH AND REHABILITATIVE SERVICES; AND
AUTHORIZING THE COUNTY MANAGER TO EXERCISE ANY
AND ALL OTHER RIGHTS CONFERRED THEREIN

WHEREAS, this Board desires to accomplish the purposes
outlined in the accompanying memorandum, a copy of which is
'incorporated herein by reference,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF DADE COUNTY, FLORIDA, that this Board hereby
approves the Amendment to Lease Agreement between Dade County
and the State of Florida Department of Health and Rehabilitative
Services, in substantially the form attached hereto and made a
part hereof; and authorizes the County Manager to execute same
for and on behalf of Dade County; and authorizing the County
Manager to exercise any and all other rights conferred therein.

The foregoing resolution was offered by Commissioner

Dennis C. Moss

, who moved its adoption. The

motion was seconded by Commissioner **Alexander Penelas**

and upon being put to a vote, the vote was as follows:

James Burke **absent**
Betty T. Ferguson **aye**
Bruce Kaplan **aye**
Natacha S. Millan **aye**
Alexander Penelas **aye**
Katy Sorenson **aye**

Arthur E. Teele, Jr. **aye**

Miguel Diaz de la Portilla **aye**
Maurice A. Ferre **absent**
Gwen Margolis **aye**
Dennis C. Moss **aye**
Pedro Reboredo **absent**
Javier D. Souto **aye**

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 3(A)(11)
1-23-97

RESOLUTION NO. R-70-97

RESOLUTION AUTHORIZING EXECUTION OF A SECOND AMENDMENT TO LEASE AGREEMENT AT 19500 QUAIL ROOST DRIVE, MIAMI, WITH THE FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA, that this Board hereby approves the Second Amendment to Lease Agreement between Dade County and the Florida Department of Children and Families, in substantially the form attached hereto and made a part hereof; and authorizes the County Manager to execute same for and on behalf of Dade County; and authorizing the County Manager to exercise any and all other rights conferred therein.

The foregoing resolution was offered by Commissioner

James Burke, who moved its adoption. The

motion was seconded by Commissioner Gwen Margolis

and upon being put to a vote, the vote was as follows:

Dr. Miriam Alonso	aye	James Burke	aye
Dr. Barbara M. Carey	aye	Miguel Diaz de la Portilla	absent
Betty T. Ferguson	aye	Bruce C. Kaplan	absent
Gwen Margolis	aye	Natacha Seijas Millan	aye
Jimmy L. Morales	aye	Dennis C. Moss	aye
Pedro Reboredo	absent	Katy Sorenson	aye
Javier D. Souto		aye	

MEMORANDUM

Agenda Item No. 3(A)(11)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: January 23, 1997

FROM:  Armando Vidal, Jr., P.E.
County Manager

SUBJECT: Second Amendment to
Lease Agreement at
19500 Quail Roost
Drive with the
Florida Department of
Children and Families

The attached Amendment to Lease Agreement has been prepared by General Services Administration at the request of the Miami-Dade Fire Rescue Department and is recommended for approval.

PROPERTY: 19500 Quail Roost Drive, Miami.

OWNER: Dade County.

TENANT: Florida Department of Children and Families.

PURPOSE OF AMENDMENT: To modify the existing lease by decreasing .75 acres from the 4.5 acres leased by the State from the County.

JUSTIFICATION: The purpose of this release of .75 acres is to enable the Metro-Dade Fire and Rescue Department to build a fire rescue station at this location. This fire rescue project is part of the bond issue approved in September, 1994 and is included in the six year capital improvement plan. Bond proceeds will be used for the construction of the station.

The Florida Department of Children and Families utilize this property for administrative offices and to provide counseling services to mentally handicapped and retarded children and adults.

Honorable Chairperson and Members
Board of County Commissioners
Page 2

FINANCIAL IMPACT:

Rate of \$1.00 per year remains as previously negotiated.

EFFECTIVE DATES OF
THE AMENDMENT:

Commencing upon approval by the Board and terminating as specified in the lease agreement.

EXISTING LEASE

The Lease was approved by the Board on April 19, 1983, by Resolution No. R-503-83. The Lease commenced on April 19, 1983 for 30 years with no renewal option periods. The Lease was amended on February 6, 1996, by Resolution No. R-75-96. The amendment modified the property's use by the State.

COMMENTS:

This Amendment is dependent on a successful Governmental Facilities Hearing for use of the site as a fire rescue station, which is scheduled as a companion item.

Attached for your information is a copy of the previously approved resolution and memorandum with data concerning the Lease.

This item has been scheduled for review by the Policy Formulation and Internal Support Committee at its meeting of December 13, 1996.